

Chapter II

LAND USE ELEMENT

This Land Use Element is a supplement to the Land Use Element of the TRPA Goals and Policies Plan and the Placer County General Plan. Consistent with the Regional Plan, this Element sets forth the land use regulations for the Community Plan and provides a Community Plan Area Statement which replaces the existing Plan Area Statement.

A. CARNELIAN BAY COMMUNITY PLAN LAND USE REGULATIONS

Community planning is an option in which the local community in partnership with TRPA and local government may prepare their own plans and, to some extent, their own standards.

Chapter 14 of the TRPA Code of Ordinances sets forth the provisions for community planning. This section indicates what provisions of the TRPA Regional Plan are applicable and what standards are replaced with equal or superior standards.

This is a brief summary of standards applicable to the Carnelian Bay Community Plan. In general, the standards of the TRPA Code apply except as noted by:

1. the Policies of the six Elements of this Plan, replace Plan Area Statement Policies;
2. the mitigation fee program of Chapter VII, supplement TRPA programs;
3. the Community Plan Sign Ordinance (Appendix B), replaces Chapter 26;
4. the Community Plan Parking Ordinance (Appendix B), replaces Chapter 24; and
5. the Community Plan Design Review Standards and Guidelines (Appendix B), replaces Chapter 30.

Pursuant to Subsection 14.5.B of the Code, the following Community Plan Statement replaces the TRPA Plan Area Statements' regulations for this area.

This document is both a Placer County General Plan document and, to some extent, a Placer County land use regulatory document. In the case of the Land Use Element, the Plan Area Statements (PAS) included herein, will serve as the functional equivalent of zoning for those areas.

The detailed checklist of applicable standards in Appendix A is provided to assist in the review of projects within the Carnelian Bay Community Plan. The checklist also indicates which regulations are special to the Community Plan.

B. CARNELIAN BAY COMMUNITY PLAN AREA STATEMENT

This Community Plan Area Statement supersedes TRPA Plan Area Statements and Placer County zoning within the Community Plan boundaries.

PLAN DESIGNATION:

Land Use Classification	TOURIST
Management Strategy	REDIRECTION
Special Designation	TDR RECEIVING AREA FOR: 1. Existing Development SCENIC RESTORATION AREA ELIGIBLE FOR REDEVELOPMENT PLANS

DESCRIPTION:

Location: This is the commercial area around Sierra Boat Company in Carnelian Bay.

Existing Use: The area consists of offices, motels, a large marina, small retail shops, and restaurants. There are large undeveloped fill areas around the creek. This area is approximately 65 percent disturbed.

Existing Environment: The lands are approximately 50 percent low hazard and 50 percent SEZ. The SEZ area is disturbed. The Shorezone Tolerance Districts are 6 and 7.

PLANNING STATEMENT: This area should continue to serve the local commercial needs of both the tourist and residents of the area.

PLANNING CONSIDERATIONS:

1. Extensive SEZ disturbance is evident in this area.
2. The marina structure, road side parking and the miniature golf course have been identified as scenic problems.
3. There is a possibility to expand public use of the beach.
4. Access to Carnelian Canyon Creek for spawning fishes is thwarted by the effects of the marina, a waterfall barrier (man-made), and an underground passage below Highway 28.
5. Scenic Roadway Unit 18 and Scenic Shoreline Unit 19 are within this Plan Area and are targeted for scenic restoration as required by the scenic threshold.

OBJECTIVES AND SPECIAL POLICIES:

Urban Design and Development

1. The urban design concept is to build on Carnelian Bay's tourist recreation amenities which provide an anchor of activity in the center of the area. Further, the location of the neighborhood commercial area provides commercial services to the surrounding PASs. Development shall be consistent with these uses and shall provide a human scale of walkway, signing, landscaping, and street lighting improvements.
 - a. Policy: All projects, as a condition of approval, shall implement or commit to a five year schedule to implement, the improvements noted in Transportation Policy 5 A. this condition may be waived if the project is in an assessment district already committed to the improvements.
2. Encourage rehabilitation by the remodeling, upgrading, and aesthetic improvement of buildings and structures in need of such improvements.
 - a. Policy: All projects shall be subject to the Placer County Standards and Guidelines for Signage, Parking and Design (Appendix B), and the following standards. The standards presented in this Policy supplement the standards presented in Appendix B. If there is a conflict with Appendix B, the standards of this Policy shall apply. These standards may be adjusted to preserve natural features or to reduce conflicts with other standards. Setback standards on State Route 28 may only be reduced upon making the required findings of the TRPA Code for scenic corridors.

Projects subject to the requirements of this chapter shall be conditioned to meet the following standards where applicable. The specifications for improvements, e.g. street lights, pavers, etc., shall be established by Placer County or approved areawide improvement plans.

- (1) Projects fronting State Route 28 shall provide the following improvements for the roadway frontage:
 - (a) Eight feet wide asphalt sidewalks.
 - (b) Six inch vertical concrete curbs or as required by Caltrans.
 - (c) Street trees planted 50 feet on center or pockets of shrubs planted 25 feet on center or a combination of both subject to an approved landscape plan.
 - (d) Pedestrian street lights 12' high 50 feet on center or low level lights 25' on center.
- (2) Projects fronting other public right-of-ways within the Community Plan shall provide on the frontage:
 - (a) Six feet wide minimum concrete sidewalks.
 - (b) Pedestrian street lights 12' high 50 feet on center.

- (c) Landscaping in setback area.
 - (d) Six inch vertical, concrete curbs or as required by Placer County.
- (3) Construction of new buildings or expansion of existing buildings shall not exceed the minimum buildings setback requirement from the property lines as follows:
 - (a) Front Setback - The minimum front setback shall be 45 feet from the centerline of the abutting traveled way, or 20 feet from the property line, whichever is more restrictive.
 - (b) Side Setbacks - Both sides shall have a total setback of 15 feet, with a five foot minimum on a side.
 - (c) Rear Setback - The rear setback shall be a minimum of ten feet.
 - (d) State Route 28 Setback - The minimum setback from State Route 28 is 20 feet from the right-of-way line.
- b. Policy: For the Placer County project review process for design review and signage, retain the existence and participation of the North Tahoe Design Review Committee. TRPA should consider the recommendations of the Committee prior to taking action on any project subject to Committee review.
- c. Policy: Projects which provide substantial rehabilitation by remodeling, upgrading, or other aesthetic improvements shall be eligible for the incentives listed in Incentive Subelement of the Implementation Element.
- d. Policy: TRPA and Placer County staff should provide quick and responsive project review through a coordinated review process.
- 3. Encourage the upgrading or replacement of commercial advertising signs that detract from the aesthetic appearance of the community.
 - a. Policy: Outdoor advertising shall be subject to the standards and guidelines established in the Placer County Standards and Guidelines for Signage, Parking and Design (Appendix B).
 - b. Policy: Nonconforming signs shall be subject to an amortization plan and incentive program to provide for the eventual elimination or replacement of such signs.
- 4. Complete the undergrounding of overhead utilities for Carnelian Bay.
 - a. Policy: Pursuant to the general recommendations for scenic improvements in Chapter IV, all projects within the scenic corridor shall be responsible for removing, relocating or screening overhead utilities as a condition of project approval. TRPA may waive this requirement if the project is part of an undergrounding program or the undergrounding has been determined by TRPA not to be necessary to meet the scenic targets

of this Plan.

5. Integrate more landscaping into both private development and public projects.
 - a. Policy: Projects with existing coverage in excess of 75% of their project area, shall be required to provide an increase in landscaping equal to 5% of the project area. The landscaping requirement shall be met within the project area or, if not feasible, off-site in a related area. This condition may be waived by the Design Review Committee, if the project is part of an assessment district which is providing the required increase in landscaping or the landscaping requirement has been met by a previous approval.
6. Implement the recommendations described in the Conservation Element, Scenic Target, for improving overall scenic quality.
 - a. Policy: The Design Review Committee shall consider the recommendations of the Scenic Target section of Chapter IV when reviewing projects and where appropriate, incorporate conditions of approval to implement the recommendations of the Scenic Target section or the equal or superior recommendations of the applicant.
7. Preserve and enhance scenic views to Lake Tahoe and to other prominent areas of special interest.
 - a. Policy: Projects located between the designated scenic corridors and Lake Tahoe shall not cause a reduction of the views of Lake Tahoe from the corridors. TRPA may consider, as an alternative, off-site improvements if it is determined there is a net increase in the lake views or river views within the scenic unit.

Commercial Development

1. Encourage development and/or activities that will enhance the "year round" economy.
2. Special event area for arts and crafts shows, seasonal sales, and other similar events shall be established.
 - a. Policy: Special event area for arts and crafts shows, seasonal sales, farmer's market, boat shows and other similar events shall be considered as part of the proposed Conservancy plan for their west side property. The design and regulation of the area by the Conservancy or NTPUD should allow such events to occur as activities not subject to TRPA review.

Traffic Circulation and Parking: (See Chapter III, Transportation Element, for transportation related objectives and policies.)

Recreation: (See Chapter V, Recreation Element, for recreation related objectives and policies.)

Public Service Facilities: (See Chapter VI, Public Service Element, for public service related objectives and policies.)

PERMISSIBLE USES: Pursuant to Chapter 18, PERMISSIBLE USES, and, if applicable, Chapter 51, PERMISSIBLE USES AND ACCESSORY STRUCTURES IN THE SHOREZONE AND LAKEZONE, the following primary uses may be permitted within all of a portion of the Community Plan Area. The list indicates if the use is allowed (A) or must be considered under the provisions for a special use (S). Special uses require either a "Conditional Use Permit" (CUP), or "Minor Use Permit" (MUP), as set forth in the Placer County Zoning Ordinance. The following "S" uses shall be MUPs unless otherwise noted. Existing uses not listed shall be considered non-conforming uses within this Plan Area. The establishment of new uses not listed shall be prohibited within this Plan Area.

The definitions of terms used in the Section on Permissible Uses are those found in Chapter 2 (Definitions), and 18 (Permissible Uses), of the TRPA Code.

General List: The following list of permissible uses is applicable throughout the Plan Area.

Residential	Employee housing (S), multiple family dwelling (S), and single family dwelling (A).
Tourist Accommodation	Bed and Breakfast facilities (A), hotels/motels and other transient dwelling units (A) (20 units or more (S/CUP)), timesharing (hotel/motel design) (S), and timesharing (residential design) (S).
Commercial	Building materials and hardware (S), eating and drinking places (A), food and beverage retail sales (A), furniture/ home furnishings and equipment (A), general merchandise stores (A), nursery (A), service stations (S/CUP), amusement and recreation services (S), outdoor amusements (S), broadcasting studios (A), business support services (S), contract construction services (S), financial services (A), health care services (A), personal services (A), professional offices (A), repair services (S), schools - business and vocational (S), schools - pre-schools (S), secondary storage (S), and vehicle storage and parking (S).

Public Service

Churches (S), cultural facilities (A), day care centers (A), government offices (S), local assembly and entertainment (S), local post office (A), local public health and safety facilities (A), membership organizations (S), public utility centers (S), schools - kindergarten through secondary (S), social service organizations (S), pipelines and power transmission (S), transit stations and terminals (S), transportation routes (S/CUP), and transmission and receiving facilities (S).

Recreation

Day use areas (A), participant sports facilities (A), beach recreation (A), boat launching facilities (A), outdoor recreation concessions (A), marinas (S/CUP), and visitor information center (S).

Resource Management

Reforestation (A), sanitation salvage cut (A), thinning (A), tree farms (A), early successional stage vegetation management (A), non-structural fish habitat management (A), non-structural wildlife habitat management (A), structural fish habitat management (A), structural wildlife habitat management (A), fire detection and suppression (A), fuels treatment (A), sensitive plant management (A), uncommon plant community management (A), erosion control (A), runoff control (A), and SEZ restoration (A).

Shorezone: Within the specified shorezone tolerance district, the following primary uses may be permitted in the backshore, nearshore, and foreshore. Accessory structures shall be regulated pursuant to the regulations applicable to the primary use upon which they are dependent in accordance with Chapter 18. The following structures may be permitted in the shorezone as an allowed (A) or special (S) use only if they are accessory to an existing, allowed use located on the same or adjoining littoral parcel.

Tolerance Districts 6 and 7**Primary Uses**

Water oriented outdoor recreation concessions (S), beach recreation (A), tour boat operations (A), safety and navigation facilities (A), marinas (S/CUP), boat launching facilities (S), and water borne transit (A).

Accessory Structures

Buoys (A), piers (A), fences (S), boat ramps (A), breakwaters or jetties (S), floating docks and platforms (A), shoreline protective structures (S), and water intake lines (S).

MAXIMUM DENSITIES: Pursuant to Chapter 21, Density, the following list establishes the maximum allowable densities that may be permitted for any parcel located within the Community Plan Area. The actual development permitted may be further limited by transfer of development rights limitations, residential density incentive programs, special use determinations, allocation limitations, and general site development standards.

USE	MAXIMUM DENSITY
Residential	
Single Family Dwelling	1 unit per parcel
Multiple Family Dwelling	15 units per acre
Employee Housing	15 units per acre
Tourist Accommodation	
Bed and Breakfast facilities	10 units per acre
Hotel, Motel and other Transient Units	
• with less than 10% of units with kitchens	40 units per acre
• with 10% or more units with kitchens	15 units per acre
Timeshare	15 units per acre

RESIDENTIAL BONUS UNITS: Pursuant to Chapter 35 of the TRPA Code of Ordinances, the maximum number of residential bonus units which may be permitted for this Community Plan Area is 0 units.

TOURIST ACCOMMODATION BONUS UNITS: Pursuant to Chapter 35 of the TRPA Code of Ordinances, the maximum number of tourist accommodation bonus units which may be permitted for this Community Plan Area is 0 units.

ADDITIONAL DEVELOPED OUTDOOR RECREATION: The following are the targets and limits for additional developed outdoor recreation facilities specified in Chapter 13 to be located within this Community Plan Area. Specific projects and their timing are addressed in Chapter V and the TRPA five-year Recreation Program pursuant to Chapter 33, Allocation of Development. The following additional capacities allowed are measured in persons at one time:

SUMMER DAY USES **40 PAOT** WINTER DAY USE **0 PAOT** OVERNIGHT USES **0 PAOT**

COMMERCIAL FLOOR AREA ALLOCATION: Pursuant to Chapter 33 of the TRPA Code of Ordinances, the maximum amount of commercial floor area which may be allocated for additional development in the Community Plan Area until December 31, 1996, is 2,000 square feet.

MAXIMUM CUMULATIVE NOISE LEVEL: The maximum cumulative noise equivalent levels for this Community Plan Area is as follows:

1. Where applicable, a maximum 55 CNEL override for the Highway 28 corridor is permissible.
2. The maximum CNEL for all areas of the community plan except as noted in 1 above

- is 60 CNEL.
3. The maximum CNEL for Shorezone Tolerance Districts 6 and 7 is 55 CNEL and the maximum for the lakezone is 50 CNEL.

The following noise standards shall also be met:

Performance standards for stationary or industrial noise sources or projects affected by stationary or industrial noise sources (as measured at the property line of a noise-sensitive receiving use)

Noise Level Descriptor	Daytime 7 a.m. – 7 p.m.	Nighttime 7 p.m. – 7 a.m.
Hourly L_{eq} , dB	55	45
Maximum Level, dB	75	65

Each of the noise levels specified above should be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises.

MINIMUM LOT SIZE: The minimum lot size requirement shall be as follows: 6,000 sq. ft. for corner lots, 5,000 sq. ft. for interior lots, for all commercial uses. For residential uses, 10,000 sq. ft. shall apply.